

## **R. Nicholas Englund** **Special Counsel**

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Nicholas Englund is special counsel and business lawyer with Foley & Lardner LLP, and a member of the firm's NHTSA & Motor Vehicle Safety Practice. He focuses his practice on federal motor vehicle safety law. He represents motor vehicle manufacturers and major parts suppliers on National Highway Traffic Safety Administration issues, including advising on safety-related and noncompliance recalls, investigations and enforcement proceedings, compliance with Federal motor vehicle safety standards, rulemaking proceedings, FOIA and confidentiality matters, and other compliance issues under the Motor Vehicle Safety Act, TREAD Act, and implementing regulations.

Prior to joining the firm, Nicholas worked as a litigation and enforcement attorney with NHTSA. During his time there, he advised NHTSA on investigations involving fires, airbag failures and noncompliance, corrosion issues, seat failures, failures in suspension systems, heavy-vehicle drivetrain failures, electric vehicle and battery failures, steering issues, and vehicle electrical problems. He also advised NHTSA on civil penalty matters including untimely recalls, Early Warning Reporting (EWR), importation violations, and other noncompliance and failures to submit required information to the agency; on certification and importation issues including noncompliance exemptions, such as the 25-year exemption, the research and show or display exemptions, and the registered-importer program; on VIN compliance issues; on enforcement actions taken with Customs and Border Patrol's assistance; on petitions for inconsequential noncompliance and temporary exemptions from safety standards; and rulemakings. In addition, Nicholas represented NHTSA in litigation involving FOIA suits, employment discrimination cases, and contract disputes.

Nicholas also served as a Special Assistant United States Attorney in the Civil Division of the U.S. Attorney's Office in the District of Columbia. He represented the United States and its agencies in federal tort claims cases, Title VII cases, FOIA suits, prisoner litigation, Bivens claims, and constitutional claims.

Previously, he held a position as a staff attorney with an international law firm. He practiced in the pharmaceutical and medical devices litigation division.

## Sectors

- Automotive
- Energy & Infrastructure
- Energy Transition
- Innovative Technology
- Manufacturing
- Racial Justice & Equity
- Supply Chain

## Practice Areas

- Corporate

## Education

- University of Oregon School of Law (J.D., 2005)
  - Staff Editor, *Journal of Environmental Law and Litigation*
- University of Utah (B.S., 2000)
  - Economics

## Admissions

- Oregon
- Washington, D.C.
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. District Court for the District of Columbia